

## **REMARKS**

Claims 1-8 are pending in the application. Claims 1-8 are rejected. In response to the Office Action dated June 24, 2004, claim 2 is canceled, and claims 1 and 3-8 are amended. In view of the above amendments and the following remarks, Applicant requests reconsideration of the rejected claims under 37 C.F.R. § 1.111.

### ***Rejections under 35 U.S.C. § 102***

Claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as being anticipated by Zhang et al. (U.S. Patent No. 6,657,748). Without acknowledging the propriety of the rejection, Applicant takes this opportunity to amend claim 1.

As set out in the specification at page 1, line to page 2, line 2, some customers who receive direct mail or telephone calls from a marketing dealer may not wish to receive further communications, and so request that their personal data be deleted from the dealer's records. Traditionally such deletion requires an individual search and manual deletion of the personal data, making responding to such requests both laborious and time-intensive.

Applicant's invention relates to a data management apparatus for effectively managing personal data, in particular personal data used for marketing purposes, so as to streamline the process of deleting a personal data record from a personal data record database. As amended, the data management apparatus of claim 1 includes a data processing section that compares an identification code received from a caller with each stored identification code in order to determine whether or not the caller identification

code is identical with one of the stored identification codes. Where the caller identification code is not identical with any of the latter identification codes, the data processing section of the claimed apparatus then deletes the personal data record for the caller from the database.

The Office Action indicates that Zhang discloses a personal data management apparatus which manages the personal data of multiple individuals using a database file containing multiple personal data records corresponding to said individuals with identification codes for identification of said personal data records. In particular, the Office Action states that Zhang teaches deletion of a personal data record corresponding to the identification code received by the communication control section from the database file stored in the database file storage area. Applicant respectfully disagrees. Although Zhang teaches that "the information in user database 28 may be edited to add and/or delete users, for example, or to otherwise modify a user's profile" (at col. 3, lines 50-53), the reference fails to disclose the comparison of a caller's unique identification code with stored identification codes in order to facilitate the deletion of personal data. Mere disclosure of an editable database fails to anticipate the personal data management apparatus of the Applicant's invention, as recited in claim 1.

In view of the above amendments and remarks, Applicant suggests that the Zhang reference fails to anticipate claim 1, and so requests the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102. As claim 2 is hereby canceled, Applicant suggests the rejection of claim 2 under 35 U.S.C. § 102 is rendered moot.

Support for the amendments to claim 1 may be found at page 8, lines 10-16, and at

page 9, lines 2-13 of the specification.

***Rejections under 35 U.S.C. § 103***

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of Nielsen (U.S. Patent No. 5,864,684). The action indicates it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Zhang with Nielsen to provide a system where users may remove themselves from subscribed services, benefiting users by minimizing the amount of information received in their mail.

As set out above, claim 1 as amended recites a data management apparatus configured to compare a received identification code with stored identification codes in order to facilitate the deletion of a personal data record at the request of a caller included in a personal data database. Applicant suggests that Zhang fails to disclose the apparatus claimed in claim 1, and therefore fails to disclose the apparatus of dependent claim 3.

In addition, although Nielsen discloses that the recipient may send an 'unsubscribe' message to a listserver to remove their email address from a recipient database. However, Nielsen fails to disclose the deletion of a caller's personal data record from a personal data database upon comparing a received identification code with stored received identification codes.

Applicant suggests that as Zhang and Nielsen, either taken separately or in combination, fail to disclose each and every element of the rejected claim, the action fails to establish the *prima facie* obviousness of claim 3, and respectfully request the withdrawal of the rejection of claim 3 under 35 U.S.C. § 103.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of Nielsen as applied to claim 3 above, and further in view of Chu (U.S. Patent No. 6,182,119). As set out above, Applicant suggests that Zhang and Nielsen, taken separately or in combination, fail to disclose each and every element of claim 3. Applicant suggests that the Chu reference similarly fails to disclose the elements of claim 3, and therefore fails to establish the *prima facie* obviousness of the invention of dependent claim 4, as amended. Applicant therefore requests the withdrawal of the rejection of claim 4 under 35 U.S.C. § 103.

Claims 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang in view of Chu (U.S. Patent No. 6,182,119). Without acknowledging the propriety of the rejection, Applicant takes this opportunity to amend claim 5.

As amended, the data management method of claim 5 includes receiving an identification code from a caller, storing the caller's identification code in a reception code memory, comparing the caller's identification code with each identification code in the memory, and deleting the personal data record for the caller where the caller's identification code is not identical with any identification code in the memory, that is, where the caller has not previously requested deletion of their personal data record.

The Office Action indicates it would have been obvious for one of ordinary skill in the art at the time of the invention to combine Chu with Zhang and Nielsen to produce a system that filters out subscribers before transmission of messages for the benefit of

allowing users to receive only messages of interest. As set out above, Applicant suggests that although Zhang teaches that information in a user database may be edited to delete users, Zhang fails to disclose the comparison of a caller's unique identification code with stored identification codes in order to facilitate the deletion of personal data. Applicant further suggests that neither the Nielsen nor Chu disclose each and every element of claim 5, as amended, and that therefore the action fails to establish the *prima facie* obviousness of claim 5, as amended. Applicant therefore requests the withdrawal of the rejection of claim 5 under 35 U.S.C. § 103.

As claims 6 and 7 depend from claim 5, and incorporate the elements of claim 5, Applicant similarly request the withdrawal of the rejection of claims 6 and 7 under 35 U.S.C. § 103.

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang and Chu as applied to claim 5 above, and further in view of Nielsen.

The action indicates that it would have been obvious for one of ordinary skill in the art at the time of the invention to combine Chu with Zhang and Nielsen to produce a system that filters out subscribers before transmission of messages for the benefit of allowing users to receive only messages of interest in a mailing label format. As set out above, Applicant suggests that either separately or in combination, the Zhang, Chu and Nielsen references fail to provide each and every element recited in the method of independent claim 5. As claim 8 depends from claim 5, Applicant similarly suggests that the cited references fail to establish the *prima facie* obviousness of claim 8, and

respectfully request the withdrawal of the rejection of claim 8 under 35 U.S.C. § 103.

In view of the above amendments and remarks, Applicant believes that this application is now in condition for allowance. If the Examiner has any questions related to this paper or the application as a whole, or if a telephone interview would in any way advance prosecution of the application, the Examiner is requested to please contact the undersigned agent.

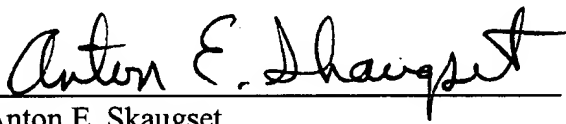
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